

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEREMY M. WEISS,

Plaintiff.

v.

DHL EXPRESS, INC.,

Defendant.

Civil Action No. 10-10705-NMG

REPORT AND RECOMMENDATION ON
PLAINTIFF'S MOTION TO AMEND

November 16, 2011

SOROKIN, M.J.

Pending is the Plaintiff, Jeremy M. Weiss's, Motion to Amend the Complaint (Docket # 19). For the following reasons, I RECOMMEND that the motion be DENIED.

On July 19, 2010, the Parties jointly proposed a schedule for discovery which included a deadline for amendment of the pleadings of July 28, 2010, and completion of discovery (other than expert discovery) by February 1, 2011. Docket # 8. The Court adopted that schedule as its Order. See Electronic Order of July 28, 2010. Neither party sought to extend the schedule, and on February 9, 2011 (after the completion of fact discovery), the Parties reported to the Court that the case remained "on track." See Electronic Clerk's Notes of February 9, 2011. On April 4, 2011 (subsequent to the filing of Defendant DHL's Motion for Summary Judgment on March 15, 2011),¹ Weiss filed a Motion to Amend his Complaint, seeking to add claims pursuant to the

¹ The Motion for Summary Judgment is the subject of a separate Report and Recommendation issued this same date.

After consideration of plaintiff's objections (Docket No. 40) thereto, Report and Recommendation accepted and adopted. SBJ/Gorton, USDJ 12/7/11